

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	)	<b>CR. NO. 1:CR-01-112-1</b>
	)	<b>(Judge Rambo)</b>
<b>vs..</b>	)	
	)	
<b>MIGUEL ARIAS</b>	)	<b>(Filed Electronically)</b>

**GOVERNMENT’S MOTION TO DIRECT RESTITUTION PAYMENT**

AND NOW, the United States of America, by its undersigned counsel, submits the following Motion to Direct Restitution Payment pursuant to Title 18, United States Code, Section 3663, et seq. In support of this motion the United States alleges as follows:

1. The defendant was convicted in this Court and sentenced in December 2002. As part of this sentence, Arias was ordered to pay restitution totaling, \$826,369.36.
2. The Clerk of Court currently holds in the Registry of the Court \$12.94, which represents moneys held by the Court after the return of a bond posted by Arias in this criminal case.
3. The Clerk has requested that the Government secure an order directing the release of these funds, so this money can be applied to victim restitution.
3. The Government requests that the Court enter such an Order, pursuant to Title 18, United States Code, Section 3663, et seq., so that victims may begin to make financial recoveries in this case.
4. Government counsel has not sought the concurrence of the defense on this motion, since the defendant is legally obliged to make these payments under the Court’s sentence and the defendant’s plea agreement.

WHEREFORE, for the forgoing reasons, the United States requests that this Court enter an Order directing that the funds currently held in the Registry of the Court be applied by the Clerk to victim restitution. For the convenience of the Court a proposed form of order is attached.

Respectfully submitted,

THOMAS A. MARINO  
UNITED STATES ATTORNEY

BY: **S/MARTIN C. CARLSON**  
MARTIN C. CARLSON  
Assistant U.S. Attorney  
228 Walnut Street, Suite 220  
Harrisburg, Pa. 17108  
Phone: 717-221-4482  
Fax: 717-221-4582  
[Martin.Carlson@USDOJ.gov](mailto:Martin.Carlson@USDOJ.gov)  
PA Bar #33396

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	)	<b>CR. NO. 1:CR-01-112-1</b>
	)	<b>(Judge Rambo)</b>
<b>vs..</b>	)	
	)	
<b>MIGUEL ARIAS</b>	)	<b>(Filed Electronically)</b>

**CERTIFICATE OF NON-CONCURRENCE**

The undersigned certifies that he has not received the concurrence of any counsel on this motion.

**s/MARTIN C. CARLSON**

MARTIN C. CARLSON

Assistant U.S. Attorney

**THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	)	<b>CR. NO. 1:CR-01-112-1</b>
	)	<b>(Judge Rambo)</b>
<b>vs..</b>	)	
	)	
<b>MIGUEL ARIAS</b>	)	<b>(Filed Electronically)</b>

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers. That on September 19, 2006, he served a true and correct copy of the foregoing

**GOVERNMENT'S MOTION TO DIRECT RESTITUTION PAYMENT**

by electronic means by sending a copy to each of the e-mail addresses stated below:

Addressee: Bruce L Udolf, Esq.  
200 Broward Blvd.  
Suite 1500  
Ft. Lauderdale, FL 33331

Alan L. Weisberg, Esq.  
1401 Brickell Avenue  
Suite 800  
Miami, FL 33131-3504

s/MARTIN C. CARLSON  
MARTIN C. CARLSON  
ASSISTANT U.S. ATTORNEY